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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,621	11/28/2005	Manfred Griesinger	41288	4764
30448	7590	09/27/2006	EXAMINER	
AKERMAN SENTERFITT				CARTER, WILLIAM JOSEPH
P.O. BOX 3188				ART UNIT
WEST PALM BEACH, FL 33402-3188				PAPER NUMBER
				2875

DATE MAILED: 09/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/532,621	GRIESINGER ET AL.
	Examiner William J. Carter	Art Unit 2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 06 July 2006.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-13 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-13 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 06 July 2006 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>8/14/06</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### ***Claim Objections***

Claim 6 is objected to because of the following informalities:

In claim 6, lines 4-5, "the angles  $\alpha$  and  $\beta$ " lack antecedent basis.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Parkyn (6,273,596).

With respect to claim 1, Parkyn teaches an illumination device (Fig. 9a), in particular for use in a motor vehicle (column 10, line 20), comprising an array of individual optical elements (880a and 880b) that are in each case assigned at least one semiconductor light source (884), in particular a light emitting diode (884), each optical element including: a light entry area with a light entry opening (top of 884) having an elongate, essentially rectangular cross section (Fig. 9a; as stated in the Applicant's Remark, on page 7, paragraph 3, lines 6-7, "Fig. 9a shows a cross section" and light entry opening 884 is an elongated, essentially rectangular form, therefore meeting the limitations of the claim), a central region (880a) perpendicular to the light entry area

(Fig. 9a), a projection of the central region into a two-dimensional plane corresponding to a cylindrical two-dimensional Cartesian oval (Fig. 9a), and a parabolic reflector (883) combined with the central region (Fig. 9a).

As for claim 2, Parkyn teaches the reflector (833) has outer areas A and B (883) that are rotated in a direction of the central region (880a) of the optical element such that all beams (885 and 886) emerging from the optical element are substantially parallel (Fig. 9a).

As for claim 3, Parkyn teaches the reflector (833) has outer areas A and B (883) that are embodied such that they are totally reflective (column 14, lines 35 and Fig. 9a).

As for claim 4, Parkyn teaches the optical element (Fig. 9) has side areas E (940) that are inclined in such a way that the optical element tapers from the light exit area G (930) toward the light entry area F (960).

As for claim 5, Parkyn teaches the side areas (940 and 883) are formed, in particular by means of curvature (Figs. 9 and 9a), such that a large acceptance angle is produced in a beam direction (Fig. 9a).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parkyn in view of Okuchi (5,772306).

With respect to claim 6, Parkyn teaches all of the claimed elements, as disclosed above, except for a cross section of the light entry area of the optical element has, in a departure from the rectangular form, a trapezoidal form having side areas and a base area, the side area of the trapezoidal form are inclined by angles  $\alpha$  and  $\beta$  with respect to a normal to the base area. Okuchi, also drawn to illumination devices in automobiles, teaches a cross section of the light entry area (33) of the individual optical elements (10) has, in a departure from the rectangular form, a trapezoidal form having side areas and a base area, the side area of the trapezoidal form inclined by angles  $\alpha$  and  $\beta$  with respect to a normal to the base area (Fig. 4a). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the light entry area of Okuchi in the illumination device of Parkyn, in order to create a light distribution area with similar trapezoidal shape (Fig. 4b).

Claims 7-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parkyn in view of Jenkins et al. (6,099,156).

With respect to claims 7-13, Parkyn teaches all of the claimed elements, as disclosed above, as well as the use of the illumination device as a motor vehicle headlight for asymmetrical illumination of the surroundings in front of a motor vehicle (Figs. 6 and 7). Parkyn does not explicitly teach at least one of the individual optical elements is assigned a plurality of semiconductor light sources that can be switched individually, arranged such that they are displaceable with respect to one another, and it

being possible for the semiconductor sources to be entirely or partly activated. Jenkins, drawn to automobile lighting with LED's, teaches an individual optical element is assigned a plurality of semiconductor light sources (28) that can be switched individually (column 4, line 67-column 5, line 2), arranged such that they are displaceable with respect to one another (Fig. 1), and it being possible for the semiconductor sources to be entirely or partly activated (column 4, line 67-column 5, line 2). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the LED configuration of Jenkins in the illumination device of Parkyn, in order to achieve a particular styling or appearance objective (column 5, lines 2-5).

### ***Response to Arguments***

Applicant's arguments filed 6 July 2006 have been fully considered but they are not persuasive. Fig. 9a is a cross section, as disclosed in the Applicant's Remarks, and in Fig. 9a the cross section of light entry opening 884 is shown as an elongated, essentially rectangular form, therefore meeting the limitations of the claim. The assertion of Figs. 9 and 9a being "rotation-symmetric" does not change the fact that the cross section of light entry opening 884 is an elongated electrically rectangular form.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Carter whose telephone number is (571)272-0959. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571)272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

wjc  
09/20/06



ALI ALAVI  
PRIMARY EXAMINER